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December 22, 2023

**BY ECF**

Hon. Jennifer L. Rochon  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Kushneir, et al. v. Esposito, et al., 14-cv-9148 (JLR)(BCM)

Your Honor:

I am co-counsel for Plaintiff Mark Kushneir. I write jointly with defense counsel in compliance with the Court's December 13, 2023 oral order from the bench during the final pretrial conference in this matter, as well as the Court's December 14, 2023 Order (ECF 218) requiring the parties to report to the Court as to our position regarding further settlement discussions.

The parties respectfully request that the Court issue a mediation referral, with the hope that we can conduct mediation in February or March. We also intend to engage in discussions ourselves in advance of the anticipated mediation.

Thank you for your attention to this matter.

Respectfully submitted,

The request is **GRANTED**. The Court will issue a  
mediation referral by separate order.

/S/

Gideon Orion Oliver

Dated: December 26, 2023

New York, New York

**SO ORDERED.**

JENNIFER L. ROCHON  
United States District Judge